

CALFED Conservation Strategy

Staff Team Meeting Notes

**April 20, 1999
9:00 AM to Noon**

These meeting notes summarize major topics of discussion. The attendance list and a list of upcoming meetings are included at the end of these notes.

1. Call to Order, Introductions, and Order of Business

The meeting was called to order at 9:10 AM.

2. Focus for CALFED Agencies Review of MSCS

Marti Kie distributed the draft memo from Lester Snow to the CALFED agencies regarding instructions for their review of the Administrative Draft Programmatic EIS/EIR and the MSCS. The review period ends 5/5/99 for the EIS/EIR. The CALFED agencies will meet on 5/10 and 5/11 to discuss comments on the Administrative Draft Programmatic EIS/EIR. The review period ends 5/7/99 for the MSCS.

Lester requested that Marti identify any particular areas of the MSCS on which the reviewers should focus their attention. Some members of the Staff Team thought it best that reviewers not be directed to specific chapters because the focus should be left to the discretion of the reviewer. Some attendees felt that because there is so much material to review that chapters 5 and 7 deserve focus. Mike Fris suggested that the reviewers be advised to first review the executive summary and table of contents. Ray McDowell felt that the reviewers should be asked to identify issues that may be potential show-stoppers. During the discussion of potential problems, the number of covered species was raised. Covered species are discussed below under Chapter 2.

The Staff Team agreed to recommend that reviewers start by reading the Executive Summary and the Table of Contents. Then, in addition to the particular items of interest that reviewers wish to pursue, the Staff Team requests that reviewers focus on chapters 5 and 7.

3. Discussion of Multi-Species Conservation Strategy. Sandy Guldman explained that since the MSCS is an appendix to the EIS/EIR and we didn't want appendices to an appendix, the text and tables that are not in the body of the MSCS, but which will circulate with the MSCS, are called attachments. The materials that will not circulate with the MSCS are called technical reports. Technical reports will be available by request from CALFED. The table entitled "MSCS Conservation Measures for Evaluated Species" will be changed from Technical Report #4 to an attachment. JSA will provide the outstanding attachments and technical reports by 4/30/99.

The Staff Team discussed the specificity of conservation measures presented in Technical Report 4. For example, the species experts identified specific locations and acreage in the North Bay where tidal marsh restoration should occur. Marti stated that the measures in the MSCS cannot be any more detailed than the analysis of potential impacts on land use, conversion of agricultural land, water, and other resources at a programmatic level in the EIS/EIR. Paul Cylinder will review the conservation measures and generalize them if they are too specific. Marti also said that if the measures recommended by the species experts go beyond the goals of the ERP, then there needs to be reconciliation and justification in the administrative record. Marti will convene a biologists meeting to resolve this issue. The biologists will ensure that the conservation measures are adequate, and that the ERP and MSCS are consistent with each other.

Chapter 2, Evaluated Species and Natural Communities. It was unclear whether the covered species consists of only the "R" and "r" species. Paul clarified that the MSCS identifies mitigation measures and conservation measures for "m" species and that they should also be covered species. Therefore, all 242 evaluated species will be covered species. The MSCS should clearly state that some covered species will be authorized for take and some will not be.

Jeff Single mentioned that during ASIP processing, some of the "m" species may be elevated to "r" species. For example, if an "m" species is at a reservoir site proposed for development and its conservation measures are augmented to adequately conserve it, the species could be designated as an "r" species. Functionally, "m" and "r" would be the same. In addition, Marti said that more information about species would be known during environmental review under NEPA, CEQA, and the 404 permit processing.

Covered species are those species, at a programmatic level, which would be adequately conserved (state regulations) and for which there would be no jeopardy and critical habitat would not be adversely affected (federal regulations). Marti mentioned that Ron Rempel had suggested that "adequately conserved" under CESA is defined as recovery of the species.

Mike Fris and Chris Beale will revise the definitions of evaluated and covered species in Chapter 2 based on the information about conservation measures provided at this meeting.

Chapter 3, Species and Habitat Goals. Mike will coordinate with Jeff Single to complete this chapter.

Chapter 4, Program Actions. Mike mentioned that the EWA should be included in this chapter.

Chapter 5, Effects of CALFED Actions and Conservation Measures. Marti will ask CALFED staff to review Table 5-1 to ensure that it accurately portrays CALFED Program actions. Mike mentioned that the EWA should be described at the appropriate level of detail,

consistent with the EIS/EIR.

Another issue is that the analysis in the MSCS currently assumes that all CALFED Program actions will be implemented. Realistically, only some actions will occur because of budget constraints. It is important to identify which CALFED Program actions and conservation measures are required to avoid jeopardy (to comply with ESA) and provide adequate conservation (to comply with CESA). Marti said that the Staff Team will work with the bundling team and the scientific reviewers of the ERP to resolve this issue.

Paul will expand the table entitled "Index to Effects and Conservation Measures" to include reference to the impact analysis so that it meets NCCPA requirements for documenting "adequately conserved" species and help the reader find species-specific information that documents compliance with ESA and CESA.

Since parts of the focus area in the MSCS are not covered by the California Central Valley Wetlands and Riparian GIS (Ducks Unlimited data), which is the basis for the MSCS, the MSCS does not include baseline data for large areas of habitat. Paul explained that high elevation habitats are not represented because they are not covered by a GIS that is consistent with the Ducks Unlimited data, such as resolution, habitat types, etc. Paul will add text regarding the adequacy of the data and justify the impact analysis.

Chapter 6, Relationship of the MSCS to Non-CALFED Projects, Programs, and Plans. Mike will work with Danae to complete chapter 6. Danae noted that the intent of this chapter is to show a synergistic effect of the MSCS with other projects, programs, and plans. Danae will write the cumulative effects section of chapter 6 and may reference the cumulative section of the EIS/EIR.

Chapter 7, ESA, CESA, and NCCPA Compliance. Marti is completing the funding section. Mike reported that Dana and Chris are working on the assurances section. Danae is drafting an outline of the required ASIP elements and a sample tiered implementing agreement. She is also collaborating with JSA to illustrate the streamlining process of the MSCS and its benefits to applicants.

Chapter 8, Monitoring. Mike will collaborate with Marti regarding funding of monitoring. Depending on the particular species, it will be determined whether monitoring will be conducted at the habitat level or population level.

Chapter 9, Adaptive Management. Mike is completing Chapter 9.

4. Action Items

- Marti Kie will convene a biologists meeting to determine if Chapter 5's evaluation is adequate and supportable, and to ensure that the ERP and MSCS are consistent.
- Scott Cantrell will distribute the table entitled "MSCS Conservation Measures for Evaluated Species" to appropriate CDFG reviewers.

5. Adjournment

The meeting was adjourned at noon.

Attendance at 4/20/99 Staff Team Meeting

Danae Aitchison, AG

Chris Beale, CDFG

Marina Brand, CDFG/HCPB

Scott Cantrell, CDFG/CALFED

Lori Cheung, Toyon

Paul Cylinder, JSA

Michael Fris, USFWS

Sandy Guldman, Toyon

Marti Kie, CALFED

Ray McDowell, CALFED

Jeff Single, CDFG (via phone)

Upcoming Meetings

The Staff Team will meet:

Tuesday	May 11, 1999	9 AM to Noon	Resources Building, Room 804 Call-in Number (916) 657-4113
Tuesday	May 25, 1999	9 AM to Noon	Resources Building, Room 804 Call-in Number (916) 657-4113